(a) whether the Advocates Act, 1961 prohibits non-Indian lawyers from practicing in the country and whether international law firms are banned from operating in the country since the 1995 ruling by the Bombay High Court;

(b) if so, whether Government has proposed to set up four law institutes under the National Law School University to upgrade legal education in the country to global standards; and

(c) if so, the details of the proposed law institutes and the likely location of regional hubs?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY) : (a) The Advocates Act, 1961 bars the practice of law in India without enrolment under the Indian Advocates Act, 1961. THE section 47 of the Act ensures reciprocity between a foreign country and India in the matter of exercise of legal profession. It is the discretion of the Bar Council of India to permit or not to permit person to come on its roll. A litigation is also pending before the Hon'ble High Court of Bombay in Writ Petition No. 1526/1995-Lawyers Collective *Vs* Bar Council of India & Ors on the entry of foreign law firms. The matter is under hearing.

(b) No, Sir.

(c) Does not arise.

Pending court cases

364. SHRI GIREESH KUMAR SANGHI : Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the number of cases pending in various District Courts, High Courts and the Supreme Court of India, as on the 31st October, 2009;

(b) whether Government proposes any time bound programme/plan to bring down the pendency; and

(c) if so, the details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY) : (a) to (c) As per the latest available information, 53,221 cases were pending in the Supreme Court as on 30.9.09. As per the figures received from the High Courts, 40,18,914 cases were pending in the High Courts and 2,71,20,108 cases were pending in the Subordinate Courts as on 30.6.09. Government has been making sustained efforts to facilitate disposal of pending cases. In addition, the Government is also preparing a road map for judicial reforms in the country which aims, *inter alia*, at reducing pendency in the courts.

***National Consultation for Strengthening the Judiciary towards Reducing Pendency and Delays** (24-25 October 2009)*

RESOLUTION dated 25th October 2009

The Participants,

Reiterating the Constitutional promise to deliver equal justice under law to all citizens and to provide access to justice to all, particularly the weaker sections of society

Noting that the President of India in her address to the Joint session of Parliament delivered on June 3rd 2009 had emphasized the need for a roadmap for judicial reforms

Noting that the Prime Minister of India in his address to the Conference of Chief Ministers and Chief Justices on August 16th 2009 described the huge arrears and case backlogs as the prime source of concern in relation to the Indian legal system

Recalling the consensus of all those present, including the Honourable Chief Justice of India, the Honourable Union Minister for Law and Justice, the Honourable Attorney General of India and the Learned Solicitor General of India and others that the pendency and delays in the courts calls for urgent and immediate action

Reaffirming the commitment of those present including the Justices of the Supreme Court of India and other members of the Judiciary, Judicial officers, Law officers, Members of the Bar, representatives of the Union Mmistry of Law & Justice and members of the public to dedicate themselves to redüce the pendency of cases from 15 years to 3 years and to work together to implement the various steps reqüired to ensure expeditious, quality and inclusive justice

Taking Note of the Vision Document presented by the Honourabie Union Minister of Law and Justice to the Honourable Chief Justice of India

Adopt the Vision Statement and Action Plan as a public commitment for redesigning the justice delivery system to reduce pendency and delays

Urge all constituents to recognise their special role and responsibility to implement the Action Plan

Decide that to impiement the Action Plan the National Arrears Grid and the Special Purpose vehicle be incorporated no later than 26th November 2009, Law Day

Recommend the High Courtus make available all the data for the National Grid by 30 November 2009

Also decide that the implementatton of the Action Plan should focus on human resource development, infrastructure development and procedural reforms

Committ to comprehensive human resource development in all sectors including judges lawyers, law officers, prosecutors and court staff in an inclusive manner

Further commit to efficient and optimum utilization of existing infrastructure and improvements and additions to physical and technological infrastructure

Also commit to specific implementation of procedural reforms at all levels in a time bound manner including curtailment of adjournments, introducing a system of continuous hearing in civil cases and criminal trials and expediting execution proceedings by removing unnecessary delays

Acknowledge the initiative undertaken by the Government of India to frame a National Litigation Policy by 31st December 2009 with a view to ensure conduct of responsible litigation by the Central Government and urges every State Government to evolve similar policies

Welcome and Applaud the idea of an SPV as an autonomous and flexible means to provide infrastructural, managerial technological and manpower services to the Judiciary and the singular contribution of Dr. Sam Pitroda in the conceptualisation of the SPV and the implementation of its programs

Bearing in mind that all such changes should focus on inclusive growth reaching all levels of society and acknowledging the need to create an Indian model

Request the Central Government to make availabte adequate and committed resources to implement and support the Action Plan

Recognize the need for mediation and other methods of dispute resolution as an organized mainstream justice delivery mechanism

Further recognize the principle behind judicial appointments should be delivery of quality and expeditious justice and public service

Commend for consideration the establishment of a All India Judicial Service through an open competitive examination ensuring the best possible selection

Welcome the suggestion of the Honourable Chief Justice of India for a notional increase in the sanctioned strength of judges by 25 % in order to enable the Judiciary to make advance selection for appointment as soon as the vacancy arises

Also recognise the need for appointment of *ad hoc* judges at all levels of the Judiciary on a temporary basis from amongst retired judges and members of the bar

Recommend the creation of a National Pool of Judicial Officers from retired judges to enable persons from the pool to be appointed as HC judges in various states

Recommend assigning special judges to deal with all pending criminal cases where the term is less than 3 years

Welcome and Applaud the leadership given by the Chief Justice of India, Judges of the Supreme Court and Chief Justices of the various High Courts and their colleagues, Bar Councils of India and Bar Associations for their positive role in initiating and furthering a meaningful dialogue to further the objectives of the vision document.